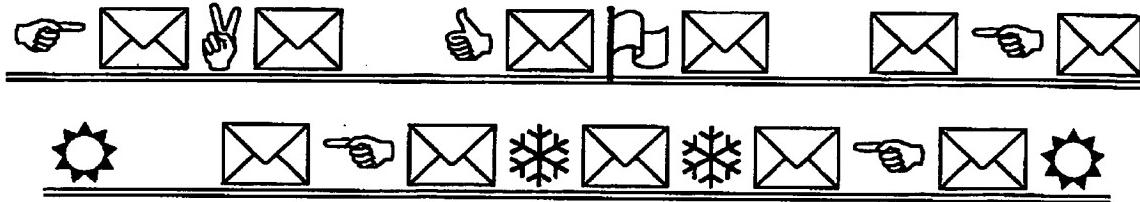


RECEIVED
CENTRAL FAX CENTER

001/024

DEC 06 2004



This is a FAX transmission from our automatic Canon iR 3320 LaserJet Plain Paper FAX from Corral de Tierra, California on FAX No. **(831) 886-2488**. Our general Office telephone number is **(831) 484-2641**, please consult the enclosed for senders direct telephone number

Sender : **PENINSULA IP GROUP**
Date : **December 6, 2004**
To : **United State Patent and Trademark Office**
Attention : **Examiner Tung S. Lau**
Fax Telephone No : **703 872-9306**
SERIAL NO. : **09/996,342**
Enclosed : **Transmittal of RCE; 2 pages; Copy of Response D (20pages) PTO Form 2038 in the amount of \$885.00**
Number of pages including this cover page : **24**

Tung S. Lau
MSI/P
2004-12-06

PLEASE NOTE:

This facsimile is directed in confidence solely to the person above named. The contents of this facsimile may be subject to attorney-client privileged. All rights to that privilege are expressly claimed and not waived.

We are aware that occasional transmission errors occur in routing facsimile messages. If you have received this facsimile in error, please notify us immediately by telephone (831) 484-2641 and return the original transmission to us by mail, or destroy same, without making a copy.

Thank you for your anticipated cooperation.

**RECEIVED
CENTRAL FAX CENTER**

DEC 06 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	PATENT
THOMAS EUGENE WACHURA	
SERIAL NUMBER: 09/996,342	ART UNIT NO.: 2863
FILED: November 21 2001	EXAMINER: TUNG S. LAU
FOR: APPARATUS AND METHOD FOR SAMPLING EYE DIAGRAMS WITH WINDOW COMPARATORS	Attorney Docket No.: WASC1821

San Jose, California
December 6, 2004

I hereby certify that this Response D and the documents referred to as enclosed therein is being FAXED to the Office at 703 872-9306 on December 6, 2004 to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Douglas A. Chaikin
 Typed or printed name of person mailing paper or fee

 Signature of person mailing paper

**RESPONSE D After Final Action Submitted
Under 37 CFR §1.116(a)(b) (After Interview)**

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Examiner's Final Office Action of June 7, 2004, please enter the enclosed Response D as follows: